

REMARKS/ARGUMENTS

This communication addresses all issues raised by the Examiner in the outstanding Office Action issued on June 23, 2003. Claims 1-11 remain pending with claims 8-11 being held withdrawn as directed to a non-elected invention.

The Office Action

The drawings were objected to as failing to comply with 37 C.F.R. §1.84(p)(5) and 37 C.F.R. §1.84(p)(4).

Claims 1, 3 and 4 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 2 and 5-7 were objected to as being dependent on a rejected base claim.

The Objection to the Drawings

The Examiner has objected to Figure 1 under 37 C.F.R. §1.84(p)(5) for failing to contain a description of element 64 as shown in the Figure. Applicants respectfully traverse this rejection.

Applicants direct the Examiner's attention to page 12, line 1, of the specification where element 64 is designated as "pipe 64". Applicants believe this description of element 64 in the specification renders the application in compliance with 37 C.F.R. §1.84(p)(5). Accordingly, Applicants respectfully request withdrawal of the objection to Figure 1.

Next, the Examiner objected to Figure 2 under 37 C.F.R. §1.84(p)(4) as reference character 40 was used to designate two separate O-rings.

In response thereto, Applicants have amended the drawing of Figure 2 and the specification so as to designate one of the O-rings as element 41. Applicants believe this fully addresses the Examiner's concern. Withdrawal of the objection is, therefore, respectfully requested.

The Rejections Under 35 U.S.C. §112

The Examiner has also rejected claims 1, 3 and 4 under 35 U.S.C. §112, second paragraph, as being indefinite.

Initially, the Examiner rejects the term “the excess gas phase” in claim 1 as lacking proper antecedent basis.

Applicants have now amended claim 1 by removing the term “the” before “excess”. Applicants believe this addresses the issue raised by the Examiner. As such, Applicants request withdrawal of that rejection.

Next, the Examiner rejects the term “high pressure” in claim 1 as being a “relative” term which renders the claim indefinite.

While the Applicants believe that the term “high pressure” is well understood by those skilled in the art, Applicants have amended the claims by removing the terminology. The specification has also been amended to reflect this change including amendments on pages 5, 7 and 10-12. Applicants believe these amendments raise no new issues and address the Examiner’s concerns with respect to the use of the language “high pressure” in the claims. Withdrawal of the rejection is respectfully requested.

Finally, the Examiner rejected claims 3 and 4 as being indefinite. Specifically, the phrase “said gaseous and non gaseous” phrases was identified as lacking antecedent basis.

Applicants have now amended claims 3 and 4 to recite “said gas and non-gaseous” phrases. Applicants believe this phraseology has antecedent basis in claim 1 from which these claims depend. As such, Applicants respectfully request withdrawal of the rejection.

In view of the above amendments to the claims, Applicants believe the claims are definite within the meaning of 35 U.S.C. §112, second paragraph.

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Reply to Office Action of June 23, 2003

Conclusion

Applicants believe that this communication is fully responsive to the outstanding rejections in the present application. Applicants submit that the present application is now in condition for allowability. Reconsideration and notification of allowability is earnestly solicited. The Examiner is encouraged to contact the undersigned should any outstanding issues remain.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32731.

Respectfully submitted,
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